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DEPARTMENT FOR WHA/CEN AND DRL

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TAGS: [PGOV](#) [KCRIM](#) [SOCI](#) [PM](#)

SUBJECT: PANAMA: TORRIJOS LAUNCHES "CRUSADE AGAINST CRIME"

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SUMMARY  
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¶1. (U) In a March 29 address to the nation, President Torrijos unveiled an anti-crime bill with a multipronged strategy to fight youth crime, particularly youth gang violence. The new bill would propose tougher penalties for youth offenders, tighten immigration regulations, and direct seized assets to help fund facilities for delinquent youth. Torrijos said he would submit the bill to the National Assembly as a top-priority agenda item the week of April 2. End summary.

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"NO MORE IMPUNITY"  
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¶2. (U) The GOP's anti-crime package comes in the wake of public pressure to take action after a March 21 fire -- allegedly the result of a dispute between rival youth gangs -- that killed three children in the Panama City neighborhood of Curundu. In his announcement, Torrijos outlined several measures aimed at delinquent youth, including: increasing penalties for youth offenders, establishing specific sentencing periods of up to 12 years based on the type of crime and the age of the minor, and lowering of the age of majority for youth offenders from 21 to 18. These tougher sanctions would target the "alarming and inadmissible impunity that seems to cover delinquent minors," Torrijos stated.

¶3. (SBU) In addition to these measures, the proposed law would discontinue the practice of removing juvenile offenses from criminal records, Vice President Samuel Lewis told Ambassador March 30. Currently crimes and arrests committed as a minor were not included in criminal records, but, under the proposed law, all offenses would be included. (Note: In Panama, a criminal background check is a requirement for job and other applications.) Lewis also said that whereas youth currently remained in the juvenile justice system until age 21, under the new law juveniles would be transferred to the adult system upon reaching age 18. Furthermore, adults who used minors to commit criminal acts would face tougher penalties and gangs would be treated as criminal organizations, Lewis added.

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IMMIGRATION REFORM  
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¶4. (U) Torrijos also called for an immediate review of Panama's immigration system to "establish controls and stop people with criminal records from entering the country." Specifically, Torrijos called for the deportation of foreigners living illegally in Panama. The proposed law would suspend the unlimited extension of tourist cards, limiting the validity of the cards to a 30-day stay and allowing only one extension of up to 90 days. Torrijos also stated that Panama was considering implementing visa requirements for several countries. (Note: Although Torrijos did not mention specific countries, it was widely understood that imposition of visa requirements was squarely aimed at Colombia.)

¶5. (SBU) Lewis told Ambassador that deputy head of the Council for Public Security and National Defense (CSPDN) Marcel Salamin had returned from a successful visit to Colombia to discuss coordination of immigration systems. According to Lewis, Salamin secured real-time access for Panama to the Colombian criminal databases to better track entry and exit of Colombians. Lewis said that when Colombian officials realized that Panama was seriously considering imposing a visa requirement on Colombians, Colombia was very forthcoming on sharing information. However, Lewis added that Panama had neither the space to detain visa violators nor the means to deport them.

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PREVENTING VIOLENCE THROUGH ASSET SEIZURES  
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¶6. (U) Besides toughening sanctions against youth offenders, Torrijos also proposed measures to prevent youth violence. These included a separate comprehensive law on child protection as well as programs for troubled youth and detention centers geared to rehabilitate youth offenders. To fund these programs, Torrijos announced that cash and assets seized from drug and other criminal busts would be directed toward such initiatives.

¶7. (SBU) MFA Senior Advisor Adolfo Ahumada told POLCOUNS March 30 that the GOP planned to include in the law a provision allowing the GOP to seize bulk cash from criminal operations and to spend it instead of holding the funds in escrow. Furthermore, to recover seized cash, Ahumada explained that defendants would need to demonstrate that the country from which bulk cash had been shipped permitted bulk cash transfers. The provision would also allow the GOP to apply the law retroactively in cases of "public interest." According to Ahumada, this would affect approximately \$20 million in seized cash and goods. (Note: DEA has long encouraged the GOP to adopt such a provision.)

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COMMENT  
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¶8. (SBU) Panama's press and opposition commentators have made much hay over the fact that this "security plan" is Torrijos's fourth plan since he assumed office over thirty months ago. It remains to be seen how effective the program will be in combating crime versus simply mollifying public outrage. Torrijos stated that the new measures are meant in no way to erode social, human, or constitutional rights, but given Panama's poor and overcrowded prison system, it will be interesting to see how the proposed reforms to the juvenile system will play out.

EATON